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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,299	11/27/2001	Woon-kyung Lee	4591-222	9003

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EXAMINER

VU, DAVID

ART UNIT PAPER NUMBER

2818

DATE MAILED: 12/18/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/995,299

Applicant(s)

LEE, WOON-KYUNG

Examiner

DAVID VU

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 12 November 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-13 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved by the Examiner.  
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☒ All b) ☐ Some \* c) ☐ None of:  
1. ☒ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).  
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3. 6) ☐ Other: \_\_\_\_\_

## DETAILED ACTION

### *Claim Rejections - 35 USC § 102*

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in-

(1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effect under this subsection of a national application published under section 122(b) only if the international application designating the United States was published under Article 21(2)(a) of such treaty in the English language; or

(2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that a patent shall not be deemed filed in the United States for the purposes of this subsection based on the filing of an international application filed under the treaty defined in section 351(a).

1. Claims 1-6 and 8-13 are rejected under 35 U.S.C. 102(e) as being anticipated by Mori (US 2002/0008278A1).

In re claims 1-2 and 12, Paterson et al, in related text ([0138]) and figures (Figs. 14A-14D) discloses a method of fabricating a flash memory device having a cell array region and a peripheral circuit region, the method comprising: forming a device isolation layer 14 at a predetermined region of a semiconductor substrate 10 to define at least one first active region in the cell array region and a second active region in the peripheral circuit region; forming a floating gate pattern 22/24 covering the first active region and a gate conductive layer 22/24 covering the peripheral circuit region; sequentially forming an inter-gate dielectric layer 26 and a control gate conductive layer 28 on an entire surface of the substrate 10 having the floating gate pattern 22/24 and the gate conductive layer 22/24; and selectively removing the control gate

conductive layer 28 and the inter-gate dielectric layer 26 which are located in the peripheral circuit region, thereby exposing the gate conductive layer 24 in the peripheral circuit region.

In re claim 3, further comprising: implanting impurity ions into the first and second active regions prior to formation of the tunnel oxide layer and the gate oxide layer ( See [0123]-[0124] and Fig. 1)

In re claims 4-6, in which the floating gate pattern and the gate conductive layer are formed of a doped polysilicon layer by ion implantation, using one of phosphor ion and arsenic ion as dopants ( See [0130]; [0006]; [0010] and [0148])

In re claim 8, in which forming the device isolation layer, the floating gate pattern and the gate conductive layer includes: forming a lower conductive layer on the entire surface of the semiconductor substrate; sequentially patterning the lower conductive layer and the semiconductor to form a trench region at a predetermined region of the semiconductor substrate and concurrently define at least one first active region in the cell array region and a second active region in the peripheral circuit region (See [0128]–[0129] and Fig. 6); forming a device isolation layer filling the trench region; forming an upper conductive layer on the entire surface of the substrate having the device isolation layer; and patterning the upper conductive layer to form a floating gate pattern covering the first active region and a gate conductive layer covering the peripheral circuit region, the floating gate pattern and the gate conductive layer being composed of a portion of the lower conductive layer and a portion of the upper conductive layer (See [0146] and Figs. 14A-D)

In re claims 9-10 and 13, further comprising: forming a metal silicide layer 29 on the control gate conductive layer 28 in the cell array region and the exposed gate conductive layer 24 in the peripheral circuit region (See [0145] and Fig. 14D)

In re claim 11, further comprising: patterning the control gate conductive layer, the inter-gate dielectric layer and the floating gate pattern that are located in the cell array region, thereby forming a word line crossing over the first active region and a floating gate interposed between the word line and the first active region; and patterning the gate conductive layer that are located in the peripheral circuit region, thereby forming a gate electrode crossing over the second active region. (See [0145] and Figs. 14A-14D)

### **Claim Rejections - 35 USC § 103**

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claim 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Mori (US 2002/0009278A1) in view of Hayakawa (US 5,976,934).

Mori discloses all claimed subject matter, but fails to expressly disclose the doped polysilicon layer is formed using  $\text{POCl}_3$ . Hayakawa, in related text, (Col. 10, Lines 1-15)

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discloses the doped polysilicon layer is formed using  $\text{POCl}_3$  as a dopant source. It would have been obvious to one of ordinary skill in the art at the time the invention was made by using  $\text{POCl}_3$  as a dopant source of Hayakawa for reduce the resistance of the polysilicon layer, within the general skill of a worker in the art, to select a known material on the basis of its suitability for its intended use is a matter of obvious design choice.

### Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to David Vu whose telephone number is (703) 305-0391. The examiner can normally be reached on Monday-Friday from 8:00am to 5:00pm.

If attempt to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Nelms., can be reached on (703) 308-4910.

PV

David Vu

  
HOAI HO  
PRIMARY EXAMINER